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REMARKS

Claims 1-4, 6, 9-10, 13-17 and 20-25 are presently pending in the application. Claim 6 has been amended, claims 7-8, 11-12 and 18-19 are cancelled, and new claims 22-25 have been introduced.

Specification

The specification was objected to for failing to provide proper antecedent basis for the claimed subject matter. Specifically, the claimed subject matter of "said at least one side opening is ductless" in claim 19 is objected to as not described in the specification. Applicant has cancelled claim 19. Withdrawal of this objection is therefore respectfully requested.

§112 Rejections

Claims 12 and 18 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. Applicant has cancelled claims 12 and 18.

Claims 6, 8-10 and 12-21 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. Applicant has amended independent claim 6, removing the feature that the bent coil is disposed in an upstream direction from the fans. Withdrawal of this rejection is therefore respectfully requested.

Claim 19 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has cancelled claim 19.

§103 Rejections

Claims 1-4, 6, 8-10, 12 and 15-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martin Sr. (US 5824027) in view of Sullivan (US 5195332). The examiner admits that Martin does not disclose two fans, but states that it would be obvious to employ this feature in Martin because of Sullivan, and therefore the claimed invention is obvious. Applicant respectfully traverses this rejection.

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The claimed invention is not obvious. Martin discloses an air conditioning system including a fan 354 and a coil 355. Martin teaches that a drawback to prior air conditioning systems is the inefficiency of airflow in a plenum of the air conditioning system. Air from a coil moves in one direction, hits an interior of the plenum, changes direction and then exits the plenum after multiple encounters with the plenum's interior (column 1, lines 62 to 65). That is, a disclosed benefit of Martin is that the air moves through the air conditioning system efficiently and has minimum contact with the interior of the plenum. In Sullivan, air from fans 15 moves towards a coil 12. The fan 15 is attached to a fan board 20. Air exits the fan 15, turns to the left (as shown in Figure 6), and makes a sharp turn to enter the coil 12. That is, Sullivan teaches a non-straight flow path. If the fans of Sullivan were employed in Martin, the air flow path from the fan 354 would be curved as it travels to the coil 355. This would cause the air that exits the coil 355 to be curved and hit the plenum, affecting the efficiency of the airflow and ruining a disclosed benefit of Martin. It is would not be obvious to employ the fans 15 of Sullivan in Martin because the airflow of the fans would ruin a benefit of Martin. There is no motivation for one skilled in the art to consider the fans 15 of Sullivan to modify Martin. The claimed invention is not obvious.

There is also no suggestion to employ two fans in the air conditioning system of Martin. Martin teaches the use of only one fan 354. As shown in Figure 6, the fan 354 occupies most of the space in the enclosure 359 of the system, and the area of the output of the fan is very large. The Examiner states that it would be obvious to employ two fans in Martin to increase the quantity of air flow. If two fans were employed in Martin, the output area of the two fans would not be greater than the output area of the current single fan 354 because the output area of the single fan 354 is already great. Therefore, there is no reason or motivation to employ two fans in Martin as suggested by the Examiner because two fans could not provide a greater quantity of airflow than the single fan 354 alone. The claimed invention is not obvious, and Applicant respectfully requests that the rejection be withdrawn.

Claims 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martin and Sullivan as applied to claims 1 and 6 above, and further in view of Ikeya (US 5482115) or Nagakura (US 5174366). Claims 20 and 21 depend from patentable independent claims 1 and 6,


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respectively, and are allowable for the reasons set forth above. Accordingly, this rejection is also rendered moot.

All objections and rejections having been addressed, it is respectfully submitted that the present application is in condition for allowance, and a Notice to that effect is earnestly solicited. Applicant believes that no additional fees are necessary, however, the Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the account for any overpayment.

Respectfully submitted,

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CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, (703) 872-9306 on July 11, 2005.


Amy Spaulding